

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65562 of 2018

Arising Out of PS. Case No.-64 Year-2018 Thana- MAHNAR District- Vaishali

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Mantu Pandit @ Mantun Kumar Pandit @ Raghwendra Kumar Pandit, Son of
Ram Kripal Pandit, Resident of Village- Alipur Hatta, P.S.- Manhar, District-
Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi, Wife of Bhramdev Pandit, Resident of Village- Bidhupur,
Ramdauli, P.S.- Bidhupur, Dist- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey
For the informant	:	Mr. Dilip Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-12-2018 Heard learned counsel for the petitioner, O.P. No. 2
and learned APP for the State.

The petitioner is apprehending his arrest in a case registered under Sections 304B, 201/34 of the Indian Penal Code.

The prosecution case, in brief, is that the daughter of the informant was tortured and ultimately caused death by the accused persons for non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. There



is no eye witness to the alleged occurrence. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State and O.P. No. 2 , it is submitted that the petitioner is named in the Complaint Case/F.I.R. He is husband of the deceased. The onus lies on him to explain the cause of death of the deceased. The witnesses in paragraphs-10, 27 & 28 of the case diary, have supported the allegation made in the FIR.

Considering the aforesaid facts and circumstances, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner in connection with Mahnar P.S. Case No. 64 of 2018 is rejected.

If the petitioner surrenders in the court below and seek regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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